

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ROYAL YATES, )  
 )  
Plaintiff(s), ) No. C05-1510 BZ  
 )  
v. )  
 ) **BRIEFING ORDER**  
GUNNALLEN FINANCIAL and CURT )  
WILLIAMS, )  
 )  
Defendant(s). )  
\_\_\_\_\_ )

Pursuant to Civil Local Rule 7-9(d), plaintiff is **ORDERED**  
**by August 9, 2006** to file a response to GunnAllen Financial's  
("GunnAllen") motion for leave to file a motion for  
reconsideration on two points only:

1. Whether the motion is timely, given that a judgment  
has been entered, as contemplated by Civil Local Rule 7-9(a)  
but, the remittitur having been rejected, there will be a new  
trial on at least one issue; and

2. The impact of the amendment to Federal Rule of Civil  
Procedure 51 in 2003 on the court's prior ruling that

1 GunnAllen cannot now claim that instructions it proffered  
2 should not have been given because of the invited error  
3 doctrine. If GunnAllen wishes to reply, it shall do so **by**  
4 **August 11, 2006.**

5 Dated: August 3, 2006

6   
7 Bernard Zimmerman  
United States Magistrate Judge

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